

#### US006749886B2

# (12) United States Patent Jones

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# (54) CONFECTIONERY PRODUCT MADE OF PROTEIN AND CARBOHYDRATE MATERIALS PRESENT IN A RELATIVE WEIGHT RATIO HIGHER THAN 1

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(65) Prior Publication Data

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# Related U.S. Application Data

- (63) Continuation of application No. 09/920,802, filed on Aug. 3, 2001, which is a division of application No. 09/639,851, filed on Aug. 16, 2000, now Pat. No. 6,299,929, which is a continuation of application No. 08/246,369, filed on May 19, 1994, now abandoned, which is a continuation of application No. 07/891,929, filed on Jun. 1, 1992, now abandoned, which is a continuation of application No. 07/641,131, filed on Jan. 15, 1991, now abandoned.
- (51) **Int. Cl.**<sup>7</sup> ...... **A23J** 1/**00**; A23J 1/14; A23J 1/08; A23J 1/20; A23G 3/00
- (52) **U.S. Cl.** ...... 426/656; 426/658; 426/660

# (56) References Cited

# U.S. PATENT DOCUMENTS

3,814,819 A	6/1974	Morgan
3,976,800 A	8/1976	Deininger et al.
4,152,462 A	5/1979	Hayward et al.
4,415,596 A	11/1983	Anderson et al.
4,451,488 A *	5/1984	Cook et al.
4,832,971 A	5/1989	Michnowski
4,900,566 A	2/1990	Howard
5,389,395 A	2/1995	Joseph et al.
6,299,929 B1	10/2001	Jones

# FOREIGN PATENT DOCUMENTS

BE	0754215	12/1970
DE	2853194	6/1980
GB	2085273	4/1982

# OTHER PUBLICATIONS

Smith et al., "Soybeans: Chemistry and Technology", pp. 327–338, vol. 1, AVI Publishing Company, Westport Conn. (1972).

Consultancy Agreement dated Apr. 1, 1989.

Non-Disclosure Agreement dated May 18, 1989.

Facsimile from Dennis Jones to Mark Schmidt dated Dec. 28, 1989.

Facsimile from Dennis Jones to Kathie Ferrie dated Jan. 2, 1990.

Facsimile from Dennis Jones to Leslie Rose dated Jan. 7, 1990.

Increda—Meal Bar Production Logo, Apr. 1989 to Dec. 1990. Increda—Meal Invoice Log 1988—1990.

The Bariatrician Fall 1989 Cover and Bariatrix Advertisement; The Bariatrician Winter 1990 Cover and Bariatrix Advertisement.

Facsimile from Dennis Jones to Mark Schmidt dated Jan. 7, 1990.

Facsimile from Dennis Jones to Christiane LeBlanc dated Feb. 5, 1990.

Facsimile from Dennis Jones to Rick Manus dated Feb. 5, 1990.

Facsimile from Dennis Jones to Rick Manus dated Feb. 16, 1990

Summary Report, Bar Manufacturing at Five Star Brands, Mar. 2, 1990.

Facsimile from Dennis Jones to Christiane LeBlanc dated Mar. 15, 1990.

Facsimile from Dnnis Jones to Christiane LeBlanc dated Mar. 21, 1990.

Facsimile from Dennis Jones to Mark Schmidt dated Mar. 28, 1990.

Proti-Bar Formulation Changes dated Mar. 26, 1990.

Report entitled "Update on Bar Matters" dated Apr. 8, 1990. Letter from Randall G. Litton to John M. Delahanty dated Oct. 24, 2003.

Supplement to Defendants Memorandum in Support of Ils Motion to Compel Plaintiff to Produce Information and Documents Responsive to Defendant's First and Second Requests for Production of Documents dated Nov. 12, 2003. Plaintiff's Cross–Motion to Compel and Opposition to Defendant's Motion to Compel dated Nov. 17, 2003.

# \* cited by examiner

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#### (57) ABSTRACT

The invention provides a confectionery bar having a proteinaceous material and a carbohydrate material in a relative weight ratio higher than 1 (from 1:0 to about 1:0.999). The bar produced is very palatable and chewy and has good organoleptic properties. It may be coated (enrobed) or not as desired. The product of the invention provides a meal replacement for very low calorie diets, diet supplement or protein supplement, and may optionally have a carbohydrate material of low digestibility or indigestible nature.

### 9 Claims, No Drawings